

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF TENNESSEE

IN RE:

RANDY HAROLD BAKER,

Debtor.

CASE NO. 3:15-bk-33764-SHB
Chapter 13

Objecting Party: Newport Federal Bank

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

- 1. Debtor(s) not eligible for Chapter 13 relief. 11 U.S.C. §109(e) or (g).
- 2. Plan not proposed in good faith. 11 U.S.C. § 1325(a)(3).
- 3. Creditors receive less under the plan than they would receive in a chapter 7. 11 U.S.C. § 1325(a)(4).
- 4. Plan does not provide for payment of all disposable income. 11 U.S.C. § 1325(b)(1)(B).
- 5. The plan is not feasible. 11 U.S.C. § 1325(a)(6).
- 6. Unsecured claims are improperly classified or plan unfairly discriminates a class. 11 U.S.C. § 1322(b)(1).
- 7. Plan improperly provides for lien avoidance.
- 8. Collateral is undervalued or all collateral not listed. 11 U.S.C. § 1325(a)(5)(B)(ii).
- 9. No interest provided on claim or interest rate is insufficient. 11 U.S.C. § 1325(a)(5)(B)(ii).
- 10. Lack of adequate protection, either in monthly payment on secured debt or absence of insurance.
- 11. The plan does not permit a deficiency claim.
- 12. Security interest in principal residence is impermissibly modified, no mortgage arrearage listed, or mortgage default is not cured within a reasonable time. 11 U.S.C. § 1325(a)(5).
- 13. The plan does not provide for lien retention for a secured claim. 11 U.S.C. § 1325(a)(5)(B)(i).
- 14. Other: Plan impermissibly transfers property to creditor

/s/Thomas H. Dickenson

THOMAS H. DICKENSON (State Bar No. 006844)

Attorney for Newport Federal Bank

HODGES, DOUGHTY & CARSON, PLLC

P.O. Box 869

Knoxville, Tennessee 37901-0869

(865) 292-2307

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing **Objection to Confirmation of Chapter 13 Plan** has been served upon the following individuals by placing same in the U.S. Mail, postage prepaid (USM) or electronically (ECF):

Randy Harold Baker (USM)
353 Poplar Grove Road
Harrogate, TN 37752

Richard M. Mayer (ECF)
1111 Northshore Drive S-570
Knoxville, TN 37919

Gwendolyn M. Kerney (ECF)
P. O. Box 228
Knoxville, TN 37901-0228

This the 22nd day of January 2016.

/s/Thomas H. Dickenson
Thomas H. Dickenson